

Appointments and Fees - Senate Bill 1369



Reporting Requirements



Senate Bill 1369, 84th Legislative Session



Chapter 36, Government Code

- 👉 Applies to all courts in the state
- 👉 Effective September 1, 2016
- 👉 First report due October 2016

Reporting Requirements

 Report **all appointments** of and **any fees** paid to

- ✓ attorney ad litem
- ✓ guardian ad litem
- ✓ competency evaluator*
- ✓ guardian
- ✓ mediator

in any type of case

*Competency evaluator: “physician or psychologist who performs examinations to determine whether an individual is incapacitated or has an intellectual disability for purposes of appointing a guardian for the individual.”

Exclusions

- ✘ Mediation conducted by an **alternative dispute resolution system**



- ✘ Appointment under **program for volunteer advocates** in child protection cases



- ✘ Appointment under **domestic relations office**



- ✘ Any information made **confidential under state or federal law**, including applicable rules (e.g., judicial bypass cases)



2 Reports Required for Each Court Each Month



Reports must be submitted for

each court
each month

on

- 1) **all appointments** made during month &
- 2) **all payments** approved/made during month

EVEN IF THERE WAS NO ACTIVITY



Reporting Requirements

Most municipal and justice courts will



Submit **no activity** reports all or a majority of the time



If have activity to report, will most likely be appointment of guardian ad litem or attorney in a **truancy** case

Reporting Requirements

For each appointment made or fee paid:

- ✓ Name of judge/magistrate signing order
- ✓ Court
- ✓ Case number and style of case
- ✓ Name of person or entity appointed – must include State Bar number if attorney
- ✓ Position to which appointed.....



Reporting Requirements

- ✓ Relationship to ward or deceased, if applicable
- ✓ Date of appointment or approval of fee
- ✓ Source of fees
- ✓ Amount of fee, if any

\$ If payment greater than **\$1,000** report, also include



number of hours billed &



billed expenses

if the info is available to the court

Collecting Required Information



Judges/clerks need to locally determine specifics about how information is to be obtained



Recommended that courts follow procedures established for district and county courts by Supreme Court Order 07-9188* for appointments and fees:

- ✓ Each appointment to be made by written order
- ✓ Each approval of payment to be made by separate written order
- ✓ Orders to be sufficiently specific to enable clerks to prepare required reports

*Order can be accessed at <http://www.txcourts.gov/supreme/administrative-orders/2007.aspx>



Penalty



Any court failing to provide clerk information required for the report is ineligible for grant money awarded by the state or a state agency for the next fiscal biennium



beginning September 1, 2017



Reporting Requirements



Report due **15th** of each month to OCA

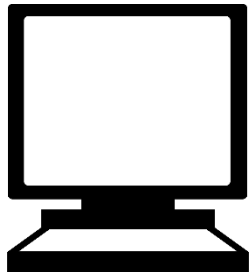


Must also post in courthouse by **15th** of the month



And on website of the court by **15th** of the month

Report Submission



Submit **online** at **card.txcourts.gov** unless have received waiver from OCA



Enter manually into database OR



Upload a file (xml)



Use **same log in** information you use for Monthly Court Activity Reports



Reports must be submitted for **each court even if no activity**





THE TEXAS OFFICE OF COURT ADMINISTRATION Court Activity Reporting and Directory System

Build Version 1.1.5975.24901

Last Login: 6/16/2016 8:30:16 AM

[Home](#) [Logout](#) | [Help](#)

Calhoun County

Justice of the Peace:

Precinct 5 Place 1

P O Box 454
Port O'Connor, Texas
77982-0454

September 2015	Criminal	Civil	Juvenile	Additional
October 2015	Criminal	Civil	Juvenile	Additional
November 2015	Criminal	Civil	Juvenile	Additional
December 2015	Criminal	Civil	Juvenile	Additional
January 2016	Criminal	Civil	Juvenile	Additional

Note: Any link highlighted in red above indicates that the report has errors that must be corrected.



To change your password, click here: [Change Password](#)

To update directory information, please email changes to [Directory Updates](#).

If you have any concerns or questions about your report, please email the [Reporting Section](#) or call (512) 463-1625.



To Enter a Report Manually

The screenshot shows the Texas Courts Online interface. At the top, the header includes the Texas state flag logo and the text "TEXAS COURTS ONLINE". A navigation bar contains buttons for "Home", "Add New Record", "Import XML", and "Reports". The "Add New Record" button is circled in red. Below this is a section titled "FEE RECORDS" with filters for "Court" (a dropdown menu), "Sort By" (a dropdown menu set to "Last Updated"), and "Only my records" (a checkbox). There are "Search" and "Clear" buttons. Below the filters, a sidebar contains a link "Add New Record" with a document icon, which is also circled in red. A large red "OR" is placed between the two "Add New Record" options, with red arrows pointing from it to each. The footer contains the Office of Court Administration logo and a list of links: "Office of Court Administration", "Tom C. Clark Building", "205 W. 14th Street, Suite 600", "Austin, Texas 78701", "Telephone: (512) 463-1625", "Accessibility Policy", "Privacy & Security Policy", "Open Records Policy", "State Web Site Link & Privacy Policy", "Email Texas Courts Online (TCO)", "Texas Online", "Trail - Statewide Search", "Texas Homeland Security", and "Where the Money Goes (State Expenditures)".

TEXAS COURTS
ONLINE

Home Add New Record Import XML Reports

FEE RECORDS

Court Select

Sort By Last Updated

Only my records ☐

Search Clear

OR

Add New Record

Office of Court Administration • Tom C. Clark Building • 205 W. 14th Street, Suite 600 • Austin, Texas 78701 • Telephone: (512) 463-1625
Accessibility Policy • Privacy & Security Policy • Open Records Policy • State Web Site Link & Privacy Policy • Email Texas Courts Online (TCO)
Texas Online • Trail - Statewide Search • Texas Homeland Security • Where the Money Goes (State Expenditures)



Reporting an Appointment or Fee

Current Status: NEW RECORD

Save Cancel

Reporting period

Month

Apr

Year

2016

Reportable Activity

Type of Activity

Appointment

No Activity

☐

Court

Precinct 5 Place 1

Judge

Gonzalez, Robert Jr.

OR

Visiting Judge

Select

Case Details

Case Number

16-1254

Case Style

IN THE MATTER OF JKS, A CHILD

Reporting “No Activity”

Current Status: NEW RECORD

Save Cancel

Reporting period

Month Apr ▼
Year 2016 ▼

Reportable Activity

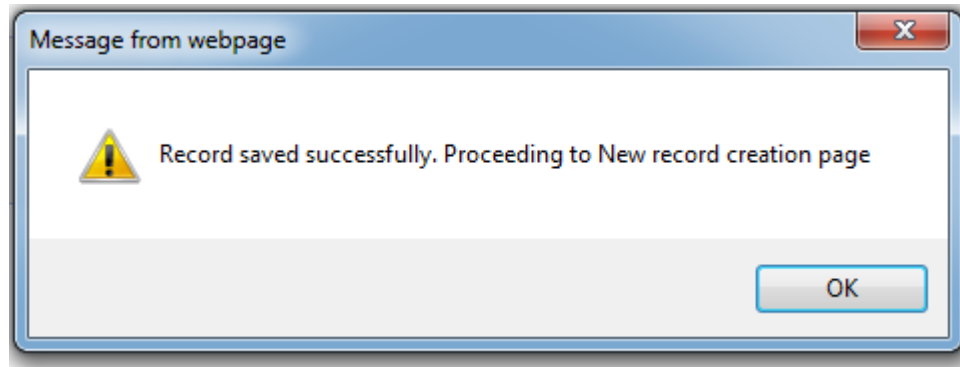
Type of Activity Fees ▼
No Activity ☒
Court Precinct 5 Place 1 ▼
Judge Select Report period, County & Court ▼
OR
Visiting Judge Select ▼

Case Details

Case Number disabled
Case Style disabled

Check
the box

Successful Manual Entry



Failed Manual Entry

Current Status: NEW RECORD

Save

Cancel

Please enter valid values in following fields:

- Reportable Activity: Judge OR Visiting Judge
- Fee Details: Approval Date

Reporting period

? Month

May

? Year

2016

Reportable Activity

? Type of Activity

Fees

? No Activity

☐

? Court

Precinct 5 Place 1

? Judge

Select

OR

? Visiting Judge

Select

Case Details

? Case Number

16-2345

? Case Style

IN THE MATTER OF JKS, A CHILD



To Upload an XML File

- 👉 Your vendor/IT staff need to create program to generate XML file from case management system
- 👉 For information on XML instructions, send email to JudInfo@txcourts.gov




To Upload an XML File

TEXAS COURTS
ONLINE

[Home](#) [Add New Record](#) [Import XML](#) [Reports](#)

FEE RECORDS

Court Only my records ☐ ☒ Date
Sort By OR ☐ Date Range

 [Add New Record](#)



To Upload an XML File



TEXAS COURTS
ONLINE

IMPORT FEE RECORDS

County: Calhoun

1

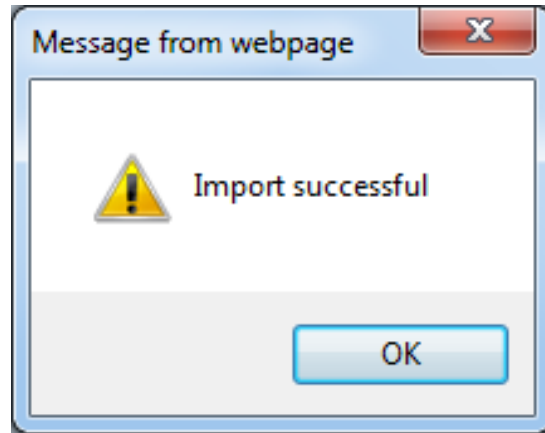
Select File: Choose File No file chosen

2

Import

- 👉 Find the file stored on your computer
- 👉 Select Import

Successful XML Upload



Failed Import of XML File


**TEXAS COURTS
ONLINE**

Home Add New Record Import XML Reports Data Management Logout

IMPORT FEE RECORDS

County: Ector

Select File: Browse... Import

 Validation failed when reading the file.
Following is the system generated error message: Cannot add constraint to DataTable 'srgbClr' which is a child table in two nested relations.

Webpage of Resources for SB 1369

www.txcourts.gov

The screenshot shows the Texas Courts website navigation structure. A red arrow points from the URL www.txcourts.gov to the 'Judicial Data' menu item in the top navigation bar. Another red arrow points from 'Judicial Data' to a sub-menu containing 'Judicial Directory', 'Open Records Policy', 'Reporting to OCA', 'Statistics & Other Data', and 'Vexatious Litigants'. A third red arrow points from 'Reporting to OCA' to a list of reporting requirements. A fourth red arrow points from this list to a box on the left labeled 'Senate Bill 1369'.

Home Courts▼ Rules & Forms▼ Organizations▼ Publications & Training▼ Programs & Services▼ Judicial Data▼ eFile Texas Media▼

Judicial Data▼ eFile Texas

Judicial Directory

Open Records Policy

Reporting to OCA

Statistics & Other Data

Vexatious Litigants

REPORTING TO OCA HOME

Appointments & Fees in Civil Cases

Change in Municipal Judge or Clerk

Collection Improvement Program

Court Closures & Reopenings

Court Security Incidents

eFiling Transaction Fee Certification

Guardianship Reporting Requirements

Judicial Bypass Cases

▶ Judicial Council Trial Court Activity Reports

Jury Charges & Sentences in Capital Cases

Other Resources

Vexatious Litigants

Senate Bill 1369

Information on changes to reporting requirements




Webpage of Resources for SB 1369 – Direct Link

<http://www.txcourts.gov/reporting-to-oqa/news/sb-1369-appointments-fees-reporting.aspx>




Webpage of Resources for SB 1369

SB 1369 - APPOINTMENTS & FEES REPORTING



Effective September 1, 2016, [Senate Bill 1369](#) requires more comprehensive reporting than what is currently required under [Supreme Court Order 07-9188](#) .

- Appointments of any attorney ad litem, competency evaluator, guardian, guardian ad litem, or mediator made in criminal and juvenile cases will also need to be reported.
- Reporting requirements are also expanded to include appellate, justice, municipal and truancy courts.
- Reports must be submitted for each court, whether or not the court has activity to report.





See [article](#)  from *In Chambers* Magazine

District and County Courts

[Reporting Instructions](#)  updated 5/10/16

Checklist of information needed to enable clerks to prepare the reports [pdf](#)  [Word](#) 

Spreadsheets/forms to compile information for the report:

- Appointments [Excel](#)  [pdf](#) 
- Fees [Excel](#)  [pdf](#) 



[Frequently Asked Questions](#)  updated 5/25/16

[Presentation Slides](#)  updated 5/10/16





[Sample Forms](#) 

Appellate, Justice and Municipal Courts

[Reporting Instructions](#) 

Checklist of information needed to enable clerks to prepare the reports [pdf](#)  [Word](#) 

Spreadsheets/forms to compile information for the report:

- Appointments [Excel](#)  [pdf](#) 
- Fees [Excel](#)  [pdf](#) 

[Frequently Asked Questions](#) 

[Presentation Slides](#) 

XML Instructions

Send an email to JudInfo@txcourts.gov for information on XML instructions.





Judicial Information Section

JudInfo@txcourts.gov

(512) 463-1625

(512) 463-1865 fax

